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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/362,014	07/27/1999	WILLIAM SCOTT MEEKS	99-820	6303

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EXAMINER

BAYERL, RAYMOND J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 01/30/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding...

**Office Action Summary**

Application N .

09/362,014

Applicant(s)

MEEKS ET AL.

Examiner

Raymond J. Bayerl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 - 25, 35 is/are allowed.
- 6) ☒ Claim(s) 1 - 17, 26, 28, 30, 36 - 43 is/are rejected.
- 7) ☒ Claim(s) 27, 29, 31 - 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

It should avoid using phrases which can be implied, such as, "is described" (line

1).

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 14, 15, 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Katsurabayashi ("Katsurabayashi"; US #6,308,199 B1).

As per independent claim 14, which is directed to "providing a window list", please note that Katsurabayashi's COOPERATIVE WORK SUPPORT SYSTEM FOR MANAGING A WINDOW DISPLAY, in using an application sharing system, allows users to select windows to be displayed and windows to be hidden for each user (Abstract). This anticipates "locating a window" and "obtaining information associated with" it. Katsurabayashi, as shown in fig 3, works with a management table in which information on whether to display or hide each window is set (col 8, lines 24 – 35). Katsurabayashi therefore identically discloses "using at least one heuristic...to determine if the window should be added to the window list", when "heuristic" is

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reasonably interpreted to include a decision process via the adjustment of the management table.

As in claim 15's "adding the window to the window list", please note Katsurabayashi's ability to select windows to be displayed, these windows containing information items extending onto a plurality of application windows (col 3, lines 25 – 30)—in such a process, a sequence of windows is likewise added to the table.

Independent claim 17 is similar to claim 14 in "providing a window list", with the additional limitation of "determining if the window should be added to the window list", and if so, "determining how at least a portion of the information should appear on the window list". However, this is also anticipated by the control of Katsurabayashi, where a user may select windows to be displayed.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1 – 8, 10, 12 – 13, 16, 42, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Boss et al. (“Boss”; US #5,758,110).

Independent claim 1’s “application sharing between a host user and at least one audience member” follows in the teaching of Katsurabayashi, in that “selecting the at least one audience member” reads upon selecting a window’s display status for individual users.

Katsurabayashi does not **explicitly** enter into the claimed details of “automatically establishing a substantially real-timed shared viewing of the at least one document”. However, Boss’s APPLICATION SHARING IN A GRAPHIC USER INTERFACE is accomplished when a host user designates an application to be shared, thereby enabling a rectangular area on the display screen within which all shared applications are displayed (Abstract). In Boss, [a]nother user at a remote location, referred to as the client user, shares control of the shared application (col 2, lines 32 – 38).

It would therefore have been obvious to a person having ordinary skill in the art at the time of applicant’s invention to share an “application” opened upon a “document”, as appears in Boss, in the user-designation environment of Katsurabayashi, this being motivated by Katsurabayashi’s joint presentation of client regions among multiple systems, in which “real-timed shared viewing” would enable further productivity among group members.

Independent claim 2, which will “share the documents” with “audience members” in the plural, reads upon the Boss sharing among plural Katsurabayashi users.

When Boss designates an application to be shared, claim 3’s “selecting a first single object” is suggested (see also claim 6). When enhanced as per Katsurabayashi, “audience members are selected” via the GUI, as “a second single object” (claims 4, 5).

Independent claim 7 (see also independent claims 42, 43), which places the “real-time shared viewing” of claim 1 into the context of “a first” and “second computer system”, also reads upon the Katsurabayashi/Boss combination, in which similar devices are employed. A “conferencing program” is specifically taught by the function of Boss’s conferencing communication system (reference numerals 108, 201, fig 3).

The establishment of Boss’s conferencing communication using the Katsurabayashi management table further reads upon independent claim 8’s “application sharing” via an “interface program”. Katsurabayashi maintains “an application list”, the control of which gives a user “a share view menu” for the purpose of selecting whether to show or hide the window in which Boss presents views of “a file associated with the application program”.

The “participant list” of claim 10, as noted above, is characteristic of Katsurabayashi’s management table contents. Via Window ID (fig 3), “window titles” (claim 12) and “document titles” (claim 13) may be provided, as they appear in the shared display of fig 10.

Claim 16, in querying for “whether the window is already on the window list”, is an extension to the “window list” management anticipated by Katsurabayashi as noted above with respect to claim 14, and not **explicitly** shown in that reference.

However, in coordinating the application to be shared, Boss suggests that a call to an already-open window on the client device will result in that window accepting an “update”. It would also have been obvious to the person having ordinary skill to use the concurrency provisions of Boss to modify the management table arrangement of Katsurabayashi windows, for this will ensure that the conferenced application is up to date and usable.

7. Claims 26, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Larson et al. (“Larson”; US #5,907,324).

Independent claim 26 (see also independent claim 28), in coordinating a “meeting configuration”, reads generally upon Katsurabayashi, whose configuration similarly defines a shared workspace. Not **explicitly** shown in Katsurabayashi is the claimed ability for “selecting a name to save state of the application-sharing meeting configuration”, whereby “an address for each participant” and “descriptors for each shared application” are added.

However, this is just what is done in Larson’s SAVING AND ACCESSING DESKTOP CONFERENCE CHARACTERISTICS WITH A PERSISTENT CONFERENCE OBJECT. Larson’s object is one by which conference parameters are monitored, updated and saved. These include details as to Participant, Document and Application (fig 4).

Thus, it would also have been obvious to the person having ordinary skill to use a coordinated saved representation of a “meeting” with the conference object of Larson, in conjunction with the management table of Katsurabayashi, reading upon the claim 26 invention, because this better preserves the structure of a collaborative work established by Katsurabayashi for later use.

8. Claims 30, 36 – 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Anderson et al. (“Anderson”; US #5,790,127).

Independent claim 30 reads upon Katsurabayashi, in that “a participant list” is adjusted, according to a menu (e.g., the management table). Katsurabayashi does not **explicitly** enter into details of querying an “item” as to whether it is “currently in use”, and “enabling use of the use item” if it is not.

However, Anderson, in SUPERVISING ACTIVATIONS STATES IN APPLICATION SHARING, specifically addresses the problem of activation of a shared application (Abstract). This activation is conducted by host 20 and guest 30 to share application 21, for example over network coupling 99 (fig 2; col 3, lines 3 – 22).

Thus, it would have been further obvious to the person having ordinary skill in the art at the time of applicant’s invention to manage activation over a network as per Anderson, thus necessarily involving the protocol for remote “item” access as claimed, in the Katsurabayashi “participant list” setting, because this would readily enable the proper connection of the respective computing devices that need to share a window.

In achieving activation, the Anderson disclosure suggests “a call manager” as in independent claim 36. Anderson specifically refers, moreover, to a display of “status



information regarding the connectivity": [a]pplication 21 having GUI 43 and caption 42 is running and is active. Caption 42 is painted the active color (fig 3A; col 3, lines 22 – 49).

The “real-time shared viewing of at least one document”, as appears in claim 37, is suggested by Anderson's APPLICATION SHARING, as augmented by the “audience member” selection of Katsurabayashi, who must also manage “a name for each active participant” (claim 38). Claims 39 – 41 are rejected for reasons similar to the respective rejections of claims 36 – 38.

9. Claims 9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Boss and Anderson.

The recitation of “updating the status indicator responsive to connection status” in claim 9 (see also claim 11), in the “application sharing” of claim 8 that reads upon Katsurabayashi and Boss as outlined above, is suggested in the combination of the highly-analogous active window indication of Anderson.

It would finally have been obvious to incorporate the call management and connection state representation taught by Anderson in the Katsurabayashi/Boss “share view” setting, for this would assist the users involved in assessing the patency of the connections among the networked devices found in each disclosure.

10. Claims 18 – 25, 35 are allowed over the prior art now made of record.

As per the “application sharing” of independent claim 18, while “file” and “selectable participants” for “real-time shared viewing” are suggested by the Katsurabayashi/Boss combination, the recited details of “providing a popup menu” for

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the purpose of “placing a call” to a “second programmed computer” that “is not in electrical communication” is not suggested by this or the remaining prior art made of record. Larson is noteworthy in suggesting that calls be made to re-establish a conference, as is Anderson, in implementing activation, only these do not fairly combine with a participant selection dialog that is only obliquely hinted at by Katsurabayashi’s maintenance of the management table.

A similar line of reasoning applies to allowable independent claim 20, in which “a list of shareable window titles” is designated via “a popup menu”, with the goal of “establishing connectivity for sharing the file”.

As per the comparison of “IP address” identities in independent claim 35’s “adjusting a participant list”, while the Katsurabayashi and Anderson disclosures certainly must be related to the matter of working with such identifiers, neither this nor the remaining prior art of record have such detail in just how the addresses are managed.

11. Claims 27, 29, 31 – 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As per claim 27 (see also claim 29), while “restoring the application-sharing meeting configuration” is the objective of Larson, as noted above with respect to parent claim 26, the query as to “matching active applications associated with the shared window descriptors” and “attempting to open unmatched applications” is not fairly taught

nor suggested by the prior art now of record. Anderson's disclosure of activation does not enter into such details of re-establishing a "meeting".

Dependent claim 31 defines over the prior art of record for reasons similar to those presented above regarding independent claim 35.

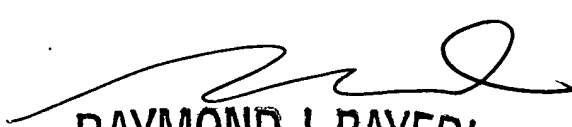
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The additional US Patent documents made of record (see attached form PTO-892) relate to applicant's topic of application sharing.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (703) 305-9789. The examiner can normally be reached on M - F from 10:00 AM to 5:00 PM.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

15. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173

23 January, 2004